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July 25, 2005

TO: Examiner Maryam Monshipouri  
Group 1652  
(703) 272-0932

FROM Justin D. Karjala  
Celera Genomics Corp.  
(240) 453-3812

FAX NO: (571)273-0932

# OF PAGES (incl. cover): 2

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Re: U.S. Serial No. 10/660,763, filed September 12, 2003  
Entitled "ISOLATED HUMAN KINASE PROTEINS, NUCLEIC ACID  
MOLECULES ENCODING HUMAN KINASE PROTEINS, AND USES  
THEREOF"  
Attorney Docket No.: CL001183-DIVII

**This is a re-submission of the Terminal Disclaimer that was originally faxed to the USPTO on July 5, 2005 with Applicant's Response to Office Action, but which Examiner Monshipouri indicated in a telephone message on July 22, 2005 was missing from the file.**

**Accordingly, the Terminal Disclaimer follows this fax cover sheet.**

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PTO/SB/26 (08-03)

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**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING  
REJECTION OVER A PRIOR PATENT**Docket Number (Optional)  
CL001183DIVII

In re Application of: Weinu GAN, et al.

Application No.: 10/680,783

Filed: September 12, 2003

For: Isolated Human Kinase Proteins, Nucleic Acid Molecules Encoding Human Kinase Proteins, and Uses Thereof

The owner\*, Applara Corporation of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,340,584. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record.



July 05, 2005

Signature

Date

Justin D. Karjala, Reg. No.: 43,704

Typed or printed name

240-453-3812

Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

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